

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALAN MILLS,

CASE NO. C23-1130JLR

Plaintiff,

ORDER

V.

NOAH ZEICHNER,

Defendant.

Before the court is the parties' expedited joint motion for discovery, which they
sing the process set forth in Local Civil Rule 37(a)(2). (Mot. (Dkt. # 22)); *see also*
Rules W.D. Wash. LCR 37(a)(2). *Pro se* Plaintiff Alan Mills identifies himself as
oving party behind the parties' submission. (Mot. at 1.) Accordingly, Mr. Mills is
nsible for filing the motion containing both parties' positions on the discovery
es, any declarations submitted by the parties, and the proposed form of order.”
Rules W.D. Wash. LCR 37(a)(2)(H). In addition, as the moving party, Mr. Mills

1 must “certify in the motion that it has complied with these requirements.” *Id.*; *see id.*,
2 App’x B (providing example language for this certification).

3 The morning after Mr. Mills filed the joint motion, counsel for Defendant Noah
4 Zeichner separately filed her declaration in support of Mr. Zeichner’s responses to Mr.
5 Mills’s discovery motions. (Murphy Decl. (Dkt. # 23); *see Mot.*, *passim* (citing “Airut
6 Murphy Decl.”).) Mr. Zeichner’s counsel asserts that (1) she indicated to Mr. Mills that
7 she intended to file her declaration and its attached exhibits with the joint motion and
8 (2) Mr. Mills “did not share a copy of the final submission or attached exhibits or
9 otherwise correspond with [her] about submitting [her] declaration prior to filing the joint
10 submission.” (*Id.* ¶ 8.) Having reviewed the joint motion, the court agrees that (1) Mr.
11 Mills failed to attach Mr. Zeichner’s attorney’s declaration to the joint motion, and
12 (2) did not include the certification required by LCR 37(a)(2)(H).

13 Moreover, the joint submission is signed only by Mr. Mills. (*See Mot.* at 22.)
14 Although LCR 37(a)(2) does not expressly state that both parties must sign the joint
15 submission, Federal Rule of Civil Procedure 11(a) requires that every pleading be signed
16 by an attorney of record for the filing party—or by the party personally if the party is
17 proceeding *pro se*—and authorizes the court to strike unsigned pleadings. *See Fed. R.*
18 *Civ. P.* 11(a). Because the instant filing is a joint motion that includes the positions of
19 both parties, the court concludes that it must be signed by both Mr. Mills and counsel for
20 Mr. Zeichner before it is filed with the court. *See Fed. R. Civ. P.* 11(b) (explaining the
21 significance of the attorney or party’s signature).

1 For these reasons, the court STRIKES the joint motion (Dkt. # 22) without
2 prejudice. The parties may re-file an expedited joint motion for discovery that complies
3 with all Local and Federal Rules after Mr. Zeichner serves his supplemental discovery
4 responses on October 13, 2023 (*see* Mot. at 21) and the parties meet and confer regarding
5 the same.

6 Dated this 4th day of October.

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8 JAMES L. ROBART
9 United States District Judge
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